

MARSHALL, GERSTEIN & BORUN
ATTORNEYS AT LAW
6300 SEARS TOWER
233 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606-6357
(312) 474-6300
FAX: (312) 474-0448

TX RECEIVED

JUL 01 2003

GROUP 1800

July 1, 2003

FACSIMILE TRANSMISSION SHEET

TO Examiner Patricia A. Patten
COMPANY US Patent and Trademark Office
FAX NO. 1 703 872-9307
PHONE NO.

FROM: Andrew M. Lawrence

PAGES (INCLUDING THIS PAGE): 6

PLEASE CONFIRM RECEIPT: Yes

EXTENSION: 815

CLIENT NO: 29155

MATTER NO: 37083

COUNTRY CODE: US

MESSAGE: RE: Ilic et al. - USSN 09/665,036 - Filed September 19, 2000
"Antiviral Substances From Plant Cuticular And Epicuticular Material"
Response to Election of Species Requirement and Amendment "D"

Please contact Gracie Di Cosola at (312) 474 6815 if you do not receive all of the pages in good condition.

The material of this transmission contains confidential information intended only for the addressee. If you are not the addressee, any disclosure or use of this information by you is strictly prohibited. If you have received this facsimile in error, please notify us by telephone immediately.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ilic <i>et al.</i>	)	<u>CERTIFICATE OF FACSIMILE TRANSMISSION</u>
)	
Serial No. 09/665,036	)	I hereby certify that this paper is being
	)	facsimile transmitted on July 1, 2003 ,
Filed: September 19, 2000	)	to Examiner Patricia A. Patten at the
	)	United States Patent and Trademark
For: ANTIVIRAL SUBSTANCES	)	Office, Facsimile No. (703) 872-9307.
FROM PLANT CUTICULAR AND)	
EPICUTICULAR MATERIAL)	
)	
Group Art Unit: 1654	)	<u>Andrew M. Lawrence</u>
	)	Andrew M. Lawrence
Examiner: Patricia A. Patten	)	Reg. No. 46,130
	)	Attorney for Applicants

RESPONSE TO ELECTION OF SPECIES REQUIREMENT AND AMENDMENT "D"

Commissioner for Patents
Alexandria, Virginia 22313-1450

Sir:

Please amend this application as follows:

IN THE CLAIMS

Please amend claim 5 as follows:

5. (Currently Amended) A method for producing a preparation possessing antiviral activity comprising substances obtained from cuticular or epicuticular layers external to an epidermis of a plant or plant part, the method comprising:

a) exposing the plant or plant part to a solvent under conditions sufficient to solubilize materials in the cuticular and epicuticular layers of the plant, while leaving cells and tissues internal to the epidermis substantially unaffected; and

b) obtaining a solution or suspension of plant cuticular and epicuticular materials, thereby producing the antiviral preparation, wherein the plant or plant part is selected from the group consisting of apple, ~~tomato, grape, pear, plum and avocado~~ and tomato.